

**RECEIVED****JUL 22 2008****PCT LEGAL  
ADMINISTRATION****Ciba****CIBA SPECIALTY CHEMICALS CORPORATION****TARRYTOWN, NEW YORK****FAX # (914)785-7102****TEL. # (914)785-2783 or 7118 (direct line)****DATE: July 22, 2008****TOTAL NUMBER OF PAGES: 11 (INCLUDING COVER LETTER)****NAME: Rafael Bacares  
PCT Legal Department****COMPANY: Commissioner for Patents****LOCATION: Alexandria, VA****FAX NO: (571)273-0459****FROM: Dolores DeCarminé for Tyler A. Stevenson****DEPARTMENT: Patent****COMMENTS: Re: Case No. PC/3-22342/A/PCT – Application No. 10/552,531**

As per a telephone conversation on July 7, 2008, we are enclosing a "Communication", dated July 22, 2008 requested by Rafael Bacares. Please have Mr. Bacares look into this matter as soon as possible.

If you have any questions, please give us a call.

Dolores DeCarminé for  
Tyler A. Stevenson  
Reg. No. 46,388

CASE PC/3-22342/A/PCT

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dolores DeCarminé

Type or print name of person signing certification

Dolores DeCarminé JUL 22 2008

Signature

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF  
Ray Davenport et al.

Group Art Unit: 1711

Examiner:

INTERNATIONAL APPLICATION NO. PCT/EP 04/050443

FILED: APRIL 5, 2004

FOR: PAPER COATING COMPOSITIONS

U.S. APPLICATION NO: 10/552,531

35 USC 371 DATE: OCTOBER 11, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Attention: Rafael Bacares****PCT Legal Department****COMMUNICATION**

Sir:

Applicants had recently become aware of the instant application having the wrong application number. According to the Patent & Trademark Office (PTO) "Decision on Petition under 37 CFR 1.181", dated June 9, 2008 received by Applicants on June 12, 2008 showed that the error was corrected (a copy is enclosed herewith) and that all the papers had been transferred to the instant Application No. 10/552,531.

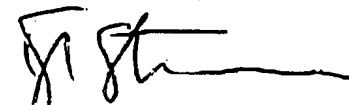
However, after the Decision was received, a further review of the instant application by Applicants noted that the 371 date was incorrect and a correction was needed.

On June 27, 2006 Applicants received a Notification of Missing Parts (a copy is enclosed herewith), dated June 21, 2006 which indicated that Declaration and Oath was missing. On **July 13, 2006**, Applicants responded to the Notification by mailing a properly signed Declaration and Oath in compliance with 37 CFR 1.63 along with a missing parts "Letter" and the required fee (a copy is enclosed herewith). The missing parts Letter was sent by Express Mail. Enclosed is a copy of the same Letter Applicants copied from PAIR which shows the July 13, 2006 date as being the receipt date.

On August 20, 2007 Applicants received a Notice of Acceptance of Application under 35 U.S.C. 371, dated August 17, 2007 showing that all the requirements had been met for the national phase ( a copy is enclosed herewith). However, the Notice of Acceptance listed the wrong 371 date. The correct 371 date should read: 7/13/2006 not 6/27/2006 as noted above. Upon further review of PAIR, Applicants noted that the Declaration and Oath had the June 27, 2006 date listed as being the date received. Applicants feel that a clerical error made by the PTO is the reason for the incorrect 371 date.

Please review this matter, as soon as possible, and issued a corrected Notice of Acceptance, to avoid problems in the future.

Respectfully submitted,



Tyler A. Stevenson  
Agent for Applicants  
Reg. No. 46,388

Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
(914) 785-2783  
TAS/dd

Encl.: copy of Notice of Acceptance,  
copy of Declaration and Oath  
copy of missing parts "Letter"  
copy of receipt postcard

Date:

**JUL 22 2008**

09 JUN 2008



## UNITED STATES PATENT and TRADEMARK OFFICE

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Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005

RECEIVED  
Andrea DeCecchis

JUN 12 2008

Docket Coordinator  
Patent Department

DECISION ON

PETITION UNDER

37 CFR 1.181

In re Application of  
Ray Davenport et al  
Application No.: 10/552,531 ✓  
PCT No.: PCT/EP2004/050443  
Int. Filing Date: 05 April 2004  
Priority Date: 14 April 2003  
Attorney Docket No.: PC/3-22342/A/PCT  
For: PROCESS FOR RENDERING SLUDGES  
INERT

Tad

This decision is in response to the "COMMUNICATION" received 28 September 2007, which is being treated as a petition under 37 CFR 1.181 requesting the transfer of certain papers from application 10/552,530 to application 10/552,531 because the USPTO stamped postcard had the wrong application number on it.

BACKGROUND

On 11 October 2005, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), a copy of the international application. The application papers were assigned serial number No.: 10/552,531.

The USPTO, however, stamped the return postcard with the Application Serial Number No.: 10/552,530. Applicants used this serial number to file application papers until August 30, 2007.

On 28 September 2007, applicants filed this petition requesting that the papers incorrectly filed in application 10/552,530, which were meant for application 10/552,531 be transferred accordingly.

DISCUSSION

A review of the file reveals that certain papers that were intended for application 10/552,531 were mistakenly filed in application 10/552,530 because the USPTO inadvertently stamped the return postcard with the wrong application serial number.

PC/3 - 22342/A/PCT

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6/18/08  
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Application No.: 10/552,531

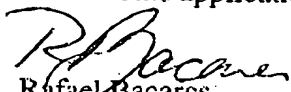
2

Accordingly, the papers intended for application 10/552,531 and mistakenly filed in application 10/552,530 have been placed in application 10/552,531.

**DECISION**

The petition under 37 CFR 1.181 is GRANTED.

This application is being returned to Technology Center 1700.

  
Rafael Bacarcs

PCT Legal Examiner

PCT Legal Office

Telephone: (571) 272-3276

Facsimile: (571) 273-0459



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,531	Ray Davenport	PC/3-22342/A/PCT

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP04/50443

LA. FILING DATE	PRIORITY DATE
04/05/2004	04/14/2003

*bol*  
Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P O Box 2005  
Tarrytown, NY 10591-9005

RECEIVED  
Andrea DeCecchi

JUN 27 2006

Docket Coordinator  
Patent Department

CONFIRMATION NO. 4385

371 FORMALITIES LETTER

\*OC000000019347523\*

Date Mailed: 06/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/11/2005
- English Translation of the IA filed on 10/11/2005
- Copy of the International Search Report filed on 10/11/2005
- Preliminary Amendments filed on 10/11/2005
- U.S. Basic National Fees filed on 10/11/2005
- Priority Documents filed on 10/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED

FOR: *August 21, 2006*

PC/3- 22342/A/PCT

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,531	PCT/LP04/50443	PC/3-22342/A/PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)

CASE PC/3-223 PCT

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL803528 72509  
"Express Mail" label mailing number7/13/06  
Date of Deposit

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Ray Davenport et al.

INTERNATIONAL APPLICATION NO. PCT/EP

PCT/2004/050443

FILED: APRIL 5, 2004

FOR: PAPER COATING COMPOSITIONS

U.S. APPLICATION NO: 10/552,530

35 USC 371 DATE: OCTOBER 11, 2005

Group Art Unit:

Examiner:

MAIL STOP:PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated June 21, 2006 (a copy of which is enclosed), Applicants submit herewith a properly signed declaration in compliance with 37 CFR 1.63.

Please charge Deposit Account No. 03-1935 for the \$130.00 surcharge fee and any additional fees required.

A triplicate copy of this letter is provided for charging purposes.

Respectfully submitted,



Shiela A. Loggins  
Agent for Applicants  
Reg. No. 56,221

Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
(914) 785-2768  
PTO form and Decl.



CASE PC/3-22342/A/PCT

PCT/PTO 13 JUL 2006

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL 803528 2509  
"Express Mail" label mailing number7/13/06  
Date of Deposit

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Ray Davenport et al.

Group Art Unit:

Examiner:

INTERNATIONAL APPLICATION NO. PCT/EP

PCT/2004/050443

FILED: APRIL 5, 2004

FOR: PAPER COATING COMPOSITIONS

U.S. APPLICATION NO: 10/552,530

35 USC 371 DATE: OCTOBER 11, 2005

MAIL STOP:PCT

Commissioner for Patents

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Alexandria, VA 22313-1450

LETTER

Sir:

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A triplicate copy of this letter is provided for charging purposes.

07/18/2006 HKAYPAGH 00000077 031935 10552530

01 FC:1617 130.00 DA

Respectfully submitted,

Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
(914) 785-2768  
PTO form and Decl.

*Shiela A. Loggins*  
Shiela A. Loggins  
Agent for Applicants  
Reg. No. 56,221

Copied from 10552530 on 04/10/2008



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,531	Ray Davenport RECEIVED Andrea DeCecchis	PC/3-22342/A/PCT

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP04/50443

I.A. FILING DATE	PRIORITY DATE
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04/05/2004

04/14/2003

CONFIRMATION NO. 4385

371 ACCEPTANCE LETTER



\*OC000000025420867\*

Date Mailed: 08/17/2007

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/27/2006	06/27/2006
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 10/11/2005
- English Translation of the IA filed on 10/11/2005
- Copy of the International Search Report filed on 10/11/2005
- Preliminary Amendments filed on 10/11/2005
- Oath or Declaration filed on 06/27/2006 ✓ 7/13/06
- U.S. Basic National Fees filed on 10/11/2005
- Priority Documents filed on 10/11/2005

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8/22/07 ID

PC/3-22342/A/PCT

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	5947
RECIPIENT ADDRESS	9147852996
DESTINATION ID	
ST. TIME	07/22 14:42
TIME USE	01'48
PGS.	11
RESULT	OK